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TO: Office of Initial Patent Examination
FAX: 571.273.8300
FROM: Thomas W. Brown/kjc
Date: August 9, 2006

Pages (including cover): 15

Client Code: 10/602,077
CNSR-09275

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MESSAGE:

Dear:

Please find the following attached materials filed with the US Patent Office on October 7, 2005- returned stamped postcard, re-filed power of attorney by assignee with revocation of prior powers, and documents indicating the reel/frame number for this file. Please update your files to reflect Medlen & Carroll, LLP as the law firm handling this case, not Jones Day.

As always, should you have any questions or comments concerning this matter, please do not hesitate to contact our office.

Very truly yours,

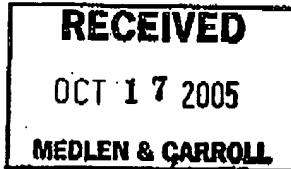
Thomas W. Brown / kjc

Thomas W. Brown

Patent, Trademark & Copyright Attorneys

300 Congress Street Suite 404 Quincy Massachusetts 02169 Tel 617.984.0616 Fax 617.984.0617

PAGE 1/15 * RCVD AT 8/9/2006 9:23:25 AM [Eastern Daylight Time] * SVR:USPTO-EFXRF-6/31 * DNIS:2738300 * CSID:617 984 0617 * DURATION (mm:ss):02:50



Q4

Serial No.: 10/602,077 MC File No.: CUSR-09275 By: TCR
 In The Matter of the Application Of: Stephen Sut et al.

Date Mailed: October 7, 2005 Due Date: _____

The following has been received in the U.S. Patent and Trademark Office on the date stamped hereon:

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| <input type="checkbox"/> Design Patent Application _____ Pages | <input type="checkbox"/> Trademark Application _____ | <input type="checkbox"/> PTO Application _____ Pages |
| <input type="checkbox"/> Plant Patent Application _____ Pages | <input type="checkbox"/> ITU Trademark Application _____ | <input type="checkbox"/> Parent Appln.: _____ |
| <input type="checkbox"/> Prov. Patent Application _____ Pages | <input type="checkbox"/> Statement of Use _____ | <input type="checkbox"/> Chapter II Demand _____ |
| <input type="checkbox"/> Utility Patent Application _____ Pages | <input type="checkbox"/> Trademark Renewal Application _____ | <input type="checkbox"/> Authorization of Agent _____ |
| <input type="checkbox"/> DIV <input type="checkbox"/> CONT | <input type="checkbox"/> Section 8 & 15 Affidavits _____ | <input type="checkbox"/> Transmittal Letter <input checked="" type="checkbox"/> Duplicate _____ |
| <input type="checkbox"/> CP <input type="checkbox"/> CPA | <input type="checkbox"/> Specimens _____ | <input checked="" type="checkbox"/> Certificate of Mailing _____ |
| <input type="checkbox"/> U.S. Nat'l. Entry <input type="checkbox"/> ROE | <input type="checkbox"/> Declaration/Oath/Affidavits _____ | <input type="checkbox"/> Cert. of Express Mailing Label No.: _____ |
| <input type="checkbox"/> Information Disclosure Statement | <input type="checkbox"/> Drawings: _____ Shoot(s) | <input type="checkbox"/> Check(s): \$ _____ |
| <input type="checkbox"/> Form PTO-1449 w/ _____ Refs. | <input type="checkbox"/> Formal <input type="checkbox"/> Informal | <input type="checkbox"/> Deposit Account Auth. No.: 08-1290 |
| <input type="checkbox"/> Form PTO-1533 (Not of Missing Parts) | <input checked="" type="checkbox"/> Power of Attorney <i>by 3rd Party</i> <i>for Sut et al.</i> | <input type="checkbox"/> P.R.O.L.S. _____ |
| <input type="checkbox"/> Certificate Re: Sequence Listing | <input type="checkbox"/> Form PTO-1594/1595 <i>for Sut et al.</i> | <input type="checkbox"/> Assignment _____ |
| <input type="checkbox"/> Sequence Listing (Paper Copy and CRF) | <input type="checkbox"/> Small Entity Declaration <i>for Sut et al.</i> | <input type="checkbox"/> Amendment/Response <i>for Sut et al.</i> |
| <input type="checkbox"/> Req. Under 37 CFR 1.821(e) to Use CRF from Prior Appln. | <input type="checkbox"/> Extension of Time Req.: _____ Month(s) | <input type="checkbox"/> Evidence of a chain of title _____ |
| <input type="checkbox"/> Form PTOL-8SB (Issue Fee Transmittal) | <input type="checkbox"/> Notice of Appeal _____ | <input type="checkbox"/> Petition _____ |
| <input type="checkbox"/> Advance Order: _____ Copies | <input type="checkbox"/> Appeal Brief _____ | <input type="checkbox"/> _____ |
| <input type="checkbox"/> Form PTO-1050 (Cert. of Correction) | <input type="checkbox"/> _____ | <input type="checkbox"/> _____ |
| <input type="checkbox"/> Maintenance Fee Transmittal Form | <input type="checkbox"/> _____ | <input type="checkbox"/> _____ |

Serial No.: 10/602,077 MC File No.: CNSR-09275 By: TCH
In The Matter of the Application Of: Stephen Suffin et al. tcl
Date Mailed: October 7, 2005 Due Date: _____

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| <input type="checkbox"/> Plant Patent Application _____ Pages | <input type="checkbox"/> ITU Trademark Application | <input type="checkbox"/> Parent Appln. _____ |
| <input type="checkbox"/> Prov. Patent Application _____ Pages | <input type="checkbox"/> Statement of Use | <input type="checkbox"/> Chapter II Demand |
| <input type="checkbox"/> Utility Patent Application _____ Pages | <input type="checkbox"/> Trademark Renewal Application | <input type="checkbox"/> Authorization of Agent |
| <input type="checkbox"/> DIV <input type="checkbox"/> CONT
<input type="checkbox"/> CIP <input type="checkbox"/> CPA
<input type="checkbox"/> U.S. Nat'l. Entry <input type="checkbox"/> RCE | <input type="checkbox"/> Section 8 & 15 Affidavits
<input type="checkbox"/> Specimens _____
<input type="checkbox"/> Declaration/Oath/Affidavits
<input type="checkbox"/> Drawings: _____ Sheet(s)
<input type="checkbox"/> Formal <input type="checkbox"/> Informal | <input checked="" type="checkbox"/> Transmittal Letter <input type="checkbox"/> Duplicate
<input type="checkbox"/> Certificate of Mailing
<input type="checkbox"/> Cert. of Express Mailing Lat. 4 No.: _____
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<input type="checkbox"/> Deposit Account Auth. No.: 06-1290 |
| <input checked="" type="checkbox"/> Information Disclosure Statement
<input type="checkbox"/> Form PTO-1449 w/ _____ Refs.
<input type="checkbox"/> Form PTO-1533 (Not of Missing Parts) <input checked="" type="checkbox"/> Power of Attorney by <i>[Signature]</i>
<input type="checkbox"/> Certificate Re: Sequence Listing <input type="checkbox"/> Assignment <input type="checkbox"/> PR. DR. C.J. _____
<input type="checkbox"/> Sequence Listing (Paper Copy and CRF) <input type="checkbox"/> Small Entity Declaration <input type="checkbox"/> P. W. C. S. _____
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<input type="checkbox"/> Form PTO-853 (Issue Fee Transmittal) <input type="checkbox"/> Extension of Time Req.: _____ Month(s) <input type="checkbox"/> Title _____
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<input type="checkbox"/> Maintenance Fee Transmittal Form <input type="checkbox"/> Petition <input type="checkbox"/> _____ | | |

PATENT
Attorney Docket No. CNSR-09275

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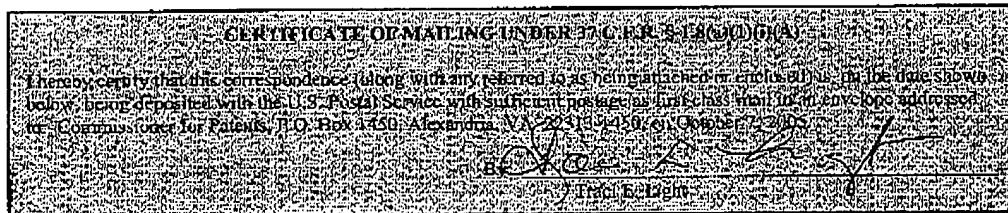
AUG 09 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: **Stephen Suffin et al.**
 Serial No.: **10/602,077** Group No.:
 Filed: **06/23/03** Examiner:
 Entitled: **Method For Classifying And Treating Physiologic Brain Imbalances Using Quantitative
EEG**

**POWER OF ATTORNEY BY ASSIGNEE
(REVOCATION OF PRIOR POWERS)**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

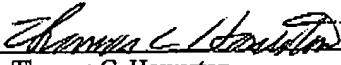


Sir or Madam:

Enclosed please find a Power of Attorney by Assignee (Revocation of Prior Powers) and the documentary evidence of a chain of title from the original owner to the assignee, as filed with the above captioned patent application.

The Commissioner is hereby authorized to charge payment of any fees associated with this communication or credit any overpayment to Deposit Account No. 08-1290. An originally executed duplicate of this transmittal is enclosed for this purpose.

Dated: October 7, 2005


Thomas C. Howerton
Registration No. 48, 650

MEDLEN & CARROLL, LLP
101 Howard Street, Suite 305
San Francisco, California 94105
617/984-0616

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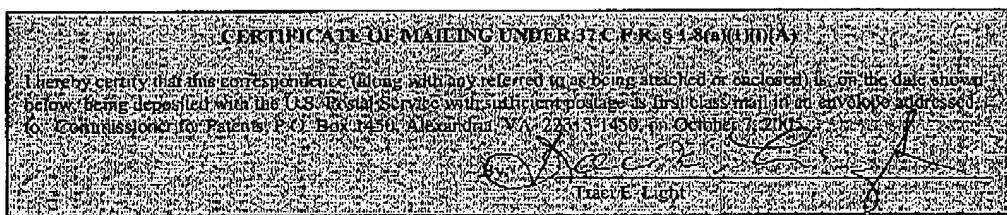
PATENT
Attorney Docket No. CNSIR-0927S

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Stephen Sufin *et al.*
 Serial No.: 10/602,077 Group No.:
 Filed: 06/23/03 Examiner:
 Entitled: Method For Classifying And Treating Physiologic Brain Imbalances Using Quantitative
 EEG

**POWER OF ATTORNEY BY ASSIGNEE
(REVOCATION OF PRIOR POWERS)**

Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450



Sir or Madam:

Enclosed please find a Power of Attorney by Assignee (Revocation of Prior Powers) and the documentary evidence of a chain of title from the original owner to the assignee, as filed with the above captioned patent application.

The Commissioner is hereby authorized to charge payment of any fees associated with this communication or credit any overpayment to Deposit Account No. 08-1290. An originally executed duplicate of this transmittal is enclosed for this purpose.

Dated: October 7, 2005

Thomas C. Howerton
 Registration No. 48, 650

MEDLEN & CARROLL, LLP
 101 Howard Street, Suite 305
 San Francisco, California 94105
 617/984-0616

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PATENT
Attorney Docket No.: CNSR-09275

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Stephen Sufflin et al.

Group No.:

Serial No.: 10/602,077

Examiner:

Filed: 06/23/03

Entitled: Method For Classifying And Treating Physiologic Brain Imbalances Using Quantitative EECG

**POWER OF ATTORNEY BY ASSIGNEE
(REVOCATION OF PRIOR POWERS)**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CNS Response, Inc., as Assignee of record of the entire interest of the above-identified patent application, hereby revokes any powers of attorney which may have been filed and appoints the members of the firm of MEDLEN & CARROLL, LLP, a firm composed of:

David A. Casimir	(Reg. No. 42,395)	Tanya A. Aranson	(Reg. No. 47,391)
Maha A. Elamdan	(Reg. No. 43,655)	Jason R. Bond	(Reg. No. 45,439)
Thomas C. Howerton	(Reg. No. 48,650)	J. Mitchell Jones	(Reg. No. 44,174)
Christine A. Lekutis	(Reg. No. 51,934)	Thomas W. Brown	(Reg. No. 50,002)
Peter G. Carroll	(Reg. No. 32,837)	John S. Roberts	(Reg. No. 36,655)

as its attorneys with full power of substitution to prosecute this application and transact all business in the Patent and Trademark Office in connection therewith.

Please direct all future correspondence and telephone calls regarding this application to:

Peter G. Carroll
MEDLEN & CARROLL, LLP
101 Howard Street, Suite 350
San Francisco, California 94105
Telephone: 415/904-6500
Facsimile: 415/904-6510

I hereby certify that the Assignment document filed with the application or filed subsequent to the filing date of the application, has been reviewed and I hereby certify that, to the best of my knowledge and belief, title is with CNS Response.

Dated: July 1, 2005

By: LENNARD J. BRANDT
Name: LENNARD J. BRANDT
Title: PRESIDENT & CEO

CNS Response Inc.
33171 Camino Capistrano, Suite A
San Juan Capistrano, CA 92675-4837

Express Mail No. EJ 335855683US First Class Mail ()
 Date Mailed JUNE 23, 2003
 Serial No. To be assigned Filed CONCURRENTLY
 Inventor SU/finetal
 For METHOD FOR CLASSIFYING AND TREATING PHYSIOLOGIC
BALANCE IMBALANCES USING QUANTITATIVE EEG

- Affidavit/Declaration
- Amendment Response (PREliminary)
- Application 16 pages
- 6 claims 13 drawing sheets (F1SS, 1-14)
- Assignment Cover Sheet
- Brief (in triplicate)
- Declaration & Power of Attorney
- Executed Unexecuted Copy
- Declaration of Inventor(s)
- Executed Unexecuted Copy
- Design Application
- Disclaimer Disclaimer Fee
- Disclosure Statement Form PTO-1449
- w/refs. w/o refs.
- Drawings, Formal
- Fee Address Indication Form
- Fee Calculation
- Issue Fee Transmittal
- Notice of Appeal
- Oral Hearing Request/Confirm
- Petition to Extend Time month(s)
- Petition under 37 C.F.R. _____
- Power of Attorney
- by Assignee Associate with Revocation
- Request for Correction of Filing Receipt
- Sequence Listing w/Computer Readable and Paper Copy
- Small Entity Statement
- Status Letter
- Transmittal Letter

Sheets Figures

Other: Revocation and Power of Attorney by Assignee

File No. 10701-011 Sender: CAC/RKN



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AUG 09 2006

PTO/SB/05 (03-01)

Approved for use through 10/31/2002. OMB 0651-0032

Patent and Trademark Office U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

UTILITY PATENT APPLICATION TRANSMITTAL <i>(Only for new nonprovisional applications under 37 CFR 1.53(b))</i>	Attorney Docket No.	10701-011	Total Pages	94
	First Named Inventor or Applicant Identifier			
	STEPHEN SUFFIN			
	Express Mail Label No.	EV335855683US		

APPLICATION ELEMENTS <i>See MPEP chapters 600 concerning utility patent application contents.</i>	Address to:	Commissioner for Patents P.O. Box 1450 Mail Stop PATENT APPLICATION Alexandria, VA 22313-1450
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1. <input checked="" type="checkbox"/> Fee Transmittal Form <i>(Submit an original, and a duplicate for fee processing)</i>	7. <input type="checkbox"/> CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
2. <input checked="" type="checkbox"/> Applicant claims Small Entity status, see 37 C.F.R. § 1.27	8. <input type="checkbox"/> Nucleotide and/or Amino Acid Sequence Submission <i>(if applicable, all necessary)</i>
3. <input checked="" type="checkbox"/> Specification <i>(preferred arrangement set forth below, MPEP 1503.01)</i>	a. <input type="checkbox"/> Computer Readable Form (CRF) b. <input type="checkbox"/> Specification Sequence Listing on: i. <input type="checkbox"/> CD-ROM or CD-R (2 copies); or ii. <input type="checkbox"/> paper c. <input type="checkbox"/> Statement verifying identity of above copies
4. <input checked="" type="checkbox"/> Drawing(s) (35 USC 113) <i>[Total Sheets 15]</i>	9. <input type="checkbox"/> Assignment Papers (cover sheet & document(s)) 10. <input type="checkbox"/> 37 CFR 3.73(b) Statement <i>(when there is an assignee)</i> <input checked="" type="checkbox"/> Revocation and Power of Attorney
5. <input checked="" type="checkbox"/> Oath or Declaration a. <input type="checkbox"/> Newly executed (original or copy) b. <input checked="" type="checkbox"/> Copy from a prior application (37 CFR 1.63(d)) <i>(for continuation/divisional with Box 18 completed)</i> i. <input type="checkbox"/> DELETION OF INVENTOR(S) <i>Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).</i>	11. <input type="checkbox"/> English Translation Document (if applicable) 12. <input type="checkbox"/> Information Disclosure Statement (IDS)/PTO-1449 <input type="checkbox"/> Copies of IDS Citations 13. <input checked="" type="checkbox"/> Preliminary Amendment 14. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503) <i>(Should be specifically itemized)</i> 15. <input type="checkbox"/> Certified Copy of Priority Document(s) <i>(if foreign priority is claimed)</i> 16. <input type="checkbox"/> Nonpublication Request under 35 U.S.C. 122 (b)(2)(i). Applicant must attach form PTO/SB/35 or its equivalent 17. <input type="checkbox"/> Other:
6. <input type="checkbox"/> Application Data Sheet. See 37 CFR 1.76	

18. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

Continuation Divisional Continuation-in-part (CIP) | of prior application No.: 09/501,149 filed February 9, 2000.

Prior application information: Examiner: Robert L. Nasser Group Art Unit: 3736

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS

<input checked="" type="checkbox"/> Customer Number	<input type="text"/> <i>Insert Customer No. or Attach bar code label here)</i>		20583	or <input type="checkbox"/> Correspondence address below
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ADDRESS				
CITY	STATE	ZIP CODE		
COUNTRY	TELEPHONE	FAX		

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

PAGE 8/15 * RCVD AT 8/9/2006 9:23:25 AM [Eastern Daylight Time] * SVR:USPTO-EFXRF-6/31 * DNIS:2738300 * CSID:617 984 0617 * DURATION (mm:ss):02:50

SCHUMAN, LUNDBERG, WOESSNER & KLINE, P.A.

United States Patent Application
COMBINED DECLARATION AND POWER OF ATTORNEYRECEIVED
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As a below named inventor I hereby declare that: my residence, post office address and citizenship are as stated below next to my name; that

I verily believe I am the original, first and sole inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled: **METHOD FOR CLASSIFYING AND TREATING PHYSIOLOGIC BRAIN IMBALANCES USING QUANTITATIVE EEG**.

The specification of which was filed on February 9, 2000 as application serial no. 09/501,149.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with 37 C.F.R. § 1.56 (attached hereto). I also acknowledge my duty to disclose all information known to be material to patentability which became available between a filing date of a prior application and the national or PCT international filing date in the event this is a Continuation-In-Part application in accordance with 37 C.F.R. § 1.63(e).

I hereby claim foreign priority benefits under 35 U.S.C. §119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on the basis of which priority is claimed:

No such claim for priority is being made at this time.

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below:

No such claim for priority is being made at this time.

I hereby claim the benefit under 35 U.S.C. § 120 or 365(c) of any United States and PCT international application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose material information as defined in 37 C.F.R. § 1.56(a) which became available between the filing date of the prior application and the national or PCT international filing date of this application:

No such claim for priority is being made at this time.

I hereby appoint the following attorney(s) and/or patent agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith:

Anglin, J. Michael Bianchi, Timothy E. Billion, Richard E. Black, David W. Brennan, Leoniede M. Brennan, Thomas F. Brooks, Edward J., III Chu, Dinh C.P. Clark, Barbara J. Dahl, John M. Drake, Eduardo E. Eliseeva, Maria M. Embreton, Janet E. Fordenbacher, Paul J. Forrest, Bradley A. Harris, Robert J. Huebsch, Joseph C.	Reg. No. 24,916 Reg. No. 39,610 Reg. No. 32,836 Reg. No. 42,331 Reg. No. 35,832 Reg. No. 35,075 Reg. No. 40,925 Reg. No. 41,676 Reg. No. 38,107 Reg. No. 44,639 Reg. No. 40,594 Reg. No. 43,328 Reg. No. 39,665 Reg. No. 42,546 Reg. No. 30,837 Reg. No. 37,346 Reg. No. 42,673	Jurkovich, Patti J. Kalis, Janal M. Kaufmann, John D. Klima-Silberg, Catherine I. Kluth, Daniel J. Lacy, Rodney L. Leffert, Thomas W. Lemaire, Charles A. Litman, Mark A. Lundberg, Steven W. Mack, Lisa K. Macysen, Paul L. Maki, Peter C. Malen, Peter L. Mates, Robert E. McCrackin, Ann M. Nama, Kash	Reg. No. 44,813 Reg. No. 37,650 Reg. No. 24,017 Reg. No. 40,052 Reg. No. 32,146 Reg. No. 41,136 Reg. No. 40,697 Reg. No. 36,198 Reg. No. 26,390 Reg. No. 30,568 Reg. No. 42,825 Reg. No. 40,076 Reg. No. 42,832 Reg. No. 44,894 Reg. No. 35,271 Reg. No. 42,858 Reg. No. 44,255	Nelson, Albin J. Nielsen, Walter W. Oh, Allen J. Padys, Danny J. Parker, J. Kevin Perdok, Monique M. Prout, William F. Schumm, Sherry W. Schwegman, Michael L. Smith, Michael G. Speier, Gary J. Steffey, Charles E. Terry, Kathleen R. Tong, Viet V. Viksnins, Ann S. Woessner, Warren D.	Reg. No. 28,650 Reg. No. 25,539 Reg. No. 42,047 Reg. No. 35,635 Reg. No. 33,024 Reg. No. 42,989 Reg. No. 33,995 Reg. No. 39,422 Reg. No. 25,816 Reg. No. 45,368 Reg. No. 45,458 Reg. No. 25,179 Reg. No. 31,884 Reg. No. 45,416 Reg. No. 37,748 Reg. No. 30,440
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I hereby authorize them to act and rely on instructions from and communicate directly with the person/assignee/attorney/firm/organization/who/which first sends/sent this case to them and by whom/which I hereby declare that I have consented after full disclosure to be represented unless/until I instruct Schwegman, Lundberg, Woessner & Kluth, P.A. to the contrary.

Please direct all correspondence in this case to Schwegman, Lundberg, Woessner & Kluth, P.A. at the address indicated below:

P.O. Box 2938, Minneapolis, MN 55402
Telephone No. (612)373-6900

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of sole inventor:

Stephen Suffin

Citizenship:

United States of America

Residence: Sherman Oaks, CA

Post Office Address:

13151 Chandler Boulevard
Sherman Oaks, CA 91401

Signature:

Stephen Suffin
Stephen Suffin

Date:

7 JUNE 2006

Full Name of inventor:

Residence:

Citizenship:

Post Office Address:

Signature:

Date:

§ 1.56 Duty to disclose information material to patentability.

(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is canceled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is canceled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:

- (1) prior art cited in search reports of a foreign patent office in a counterpart application, and
- (2) the closest information over which individuals associated with the filing or prosecution of a patent application believe an pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.

(b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and

- (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or
- (2) It refutes, or is inconsistent with, a position the applicant takes in:
 - (i) Opposing an argument of unpatentability relied on by the Office, or
 - (ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

(c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:

- (1) Each inventor named in the application;
- (2) Each attorney or agent who prepares or prosecutes the application; and
- (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.

(d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.

AUG 09 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Stephen Suffin

Application No.: 09/501,149

Group Art Unit: 2768

Filed: February 9, 2000

Examiner: Unknown

For: METHOD FOR CLASSIFYING AND
TREATING PHYSIOLOGIC BRAIN
IMBALANCES USING QUANTITATIVE
EEG

Attorney Docket No.: 10701-006-999

**REVOCATION AND POWER OF ATTORNEY BY ASSIGNEE
AND EXCLUSION OF INVENTOR(S) UNDER 37 C.F.R. 3.71**

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

The undersigned assignee of the entire interest in the above-identified subject application hereby revokes all previous powers of attorney and appoints: S. Leslie Mislock (Reg. No. 18872), Berj A. Terzian (Reg. No. 20060), David Weild, III (Reg. No. 21094), Jonathan A. Marshall (Reg. No. 24614), Barry D. Rein (Reg. No. 22411), Stanton T. Lawrence, III (Reg. No. 25736), Charles E. McKenney (Reg. No. 22795), Philip T. Shannon (Reg. No. 24278), Francis E. Morris (Reg. No. 24615), Charles E. Miller (Reg. No. 24576), Gidon D. Stern (Reg. No. 27419), John J. Lauter, Jr. (Reg. No. 27814), Brian M. Poissant (Reg. No. 28462), Brian D. Coggio (Reg. No. 27624), Rory J. Radding (Reg. No. 28749), Stephen J. Harbulak (Reg. No. 29166), Donald J. Goodell (Reg. No. 19766), James N. Palik (Reg. No. 25510), Thomas E. Friebel (Reg. No. 29258), Laura A. Coruzzi (Reg. No. 30742), Jennifer Gordon (Reg. No. 30753), Allan A. Fanucci (Reg. No. 30256), Geraldine F. Baldwin (Reg. No. 31232), Victor N. Balancia (Reg. No. 31231), Samuel B. Abrams (Reg. No. 30605), Steven I. Wallach (Reg. No. 35402), Marcia H. Sundeen (Reg. No. 30893), Paul J. Zegger (Reg. No. 33821), Edmond R. Bannon (Reg. No. 32110), Bruce J. Barker (Reg. No. 33291),

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An assignment of the entire interest in the above-identified subject application:

was recorded on June 15, 2000 at reel/frame 010904/0428.

is submitted herewith for recording.

Please direct all correspondence for this application to customer no. 20583.

ASSIGNEE:

CNS Response, Inc.

Signature:

Leonard J. Brandt

Typed Name:

Leonard Brandt

Position/Title:

President and CEO

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Long Beach, CA 90804

Date:

3/01/01



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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
10/602,077	06/23/2003	Stephen Suffin	10701-011

20583
 JONES DAY
 222 EAST 41ST ST
 NEW YORK, NY 10017

CONFIRMATION NO. 1225



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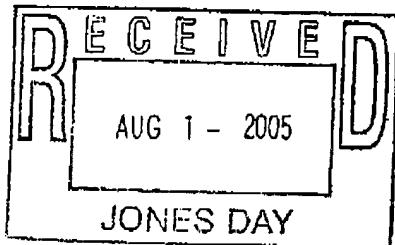
NOTICE REGARDING POWER OF ATTORNEY

This is in response to the Power of Attorney filed 07/08/2005. The Power of Attorney in this application is not accepted for the reason(s) listed below:

- The Power of Attorney is from an assignee and the Certificate required by 37 CFR 3.73(b) has not been received.

S. Yemane
 SHEWAYE YEMANE
 SALLY (703) 305-0677

FORMER ATTORNEY/AGENT COPY



08/09/2006 09:31 FAX 617 984 0617

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Transfer 10701 Files

September 16, 2005

Direct Number: (212) 328-3878
math@jonesday.com

VIA FIRST CLASS MAIL

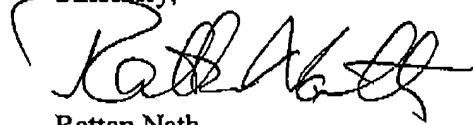
Peter G. Carroll, Esq.
Medlen and Carroll
300 Congress Street
Suite 404
Quincy, MA 02169

Re: Transfer of Patent Files of CNS Response

Dear Mr. Carroll:

Enclosed is a notice we received from the U.S. Patent and Trademark Office in connection with the above-referenced matter.

Sincerely,



Rattan Nath
Associate

Enclosure

c: Laura A. Coruzzi, Esq.

NYJD 1592437.1

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PAGE 15/15 * RCVD AT 8/9/2006 9:23:25 AM [Eastern Daylight Time] * SVR:USPTO-EFXRF-6/31 * DNIS:2738300 * CSID:617 984 0617 * DURATION (mm:ss):02:50